

## **REMARKS**

Claims 1-71 are cancelled. Claims 39-55 and 57-62 stand rejected. Claims 72-80 are newly added.

Applicant believes the new claims do not add new matter. Applicant directs the Examiner to claims 1-4 of amendment H filed in response to the Office Action of December 15, 2008 and are at least supported with respect to Fig. 3 and the associated description of Fig. 3.

### **Interview Summary**

A telephone interview was conducted on June 3, 2010. The prior art was discussed in view of steps 304, 306, 308, 310 in Figure 3. Examiner indicated that this combination of steps could overcome the current prior art rejections.

### **Claim Rejections – 35 U.S.C. § 112**

Claim 8 is cancelled. Thus, the rejection is believed overcome thereby.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 39-55 and 57-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suda (U.S. 2004/0123059) in view of Moro (U.S. 2004/0107316). The rejection is respectfully traversed.

Suda teaches a memory card with a number of mechanical switches (16a, 16b), a controller 10 and a first storage area 11a and a second storage area 11b. Switching between the storage areas is performed by a memory card host device 1 (see Figs. 1 and 2, paragraphs 31-36). In a second embodiment, Suda describes two file systems A and B (paragraph 63). The switching in the second embodiment is also performed by the memory card host device (paragraph 65).

Moro is relied upon to teach a memory card with partitions using different file systems (fig. 1 and paragraph 28). In Fig. 1 of Moro, the switching between the partitions appears to be controlled by capacity switching-type memory card host device 12 which is separate from the capacity switching-type memory card 32.

The claims as amended describe, such as recited in claim 72, recite,

*(b) determining, based on the volume information, whether the initial volume uses a 16-bit addressing or uses less than the 16-bit addressing;*

*(c) when said determining (b) determines the initial volume uses greater than the 16-bit addressing, communicating to the host via the host controller to use the memory card as a single volume using 32-bit addressing; and*

*(d) when said determining (b) determines that the initial volume uses the 16-bit addressing or uses less than the 16-bit addressing,*

*(1) reading a switch position of a switch on the memory card.*

In the claims, the switch position is checked only when the initial volume uses 16-bit addressing or uses less than the 16-bit addressing. The switch position is not checked when the initial volume uses greater than 16-bit addressing. Suda and Moro do not describe determining a switch position in this manner. In Moro, the switch position appears to be always checked. Thus, Suda and Moro can be said to teach or suggest, “(b) determining, based on the volume information, whether the initial volume uses a 16-bit addressing or uses less than the 16-bit addressing; (c) when said determining (b) determines the initial volume uses greater than the 16-bit addressing, communicating to the host via the host controller to use the memory card as a single volume using 32-bit addressing; and d) when said determining (b) determines that the initial volume uses the 16-bit addressing or uses less than the 16-bit addressing. Therefore, Suda and Moro, alone or in combination can not be said to render obvious the pending claims and the rejection is believed overcome thereby.

### **Conclusion**

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. As always, the Examiner is cordially invited to telephone the Applicants' representative to discuss any matters pertaining to this case. Should the Examiner wish to contact the undersigned for any reason, the telephone numbers set out below can be used.

Additionally, if any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 504481 (Order No. SDK1P017).

Respectfully submitted,  
BEYER LAW GROUP LLP

/David P. Olynick/  
David P. Olynick  
Reg. No.: 48,615

P.O. Box 1687  
Cupertino, CA 95015-1687  
408-255-8001